

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

HEIDMAR TRADING LLC	§	
	§	
Plaintiff,	§	C.A. No. 4:11-CV-3847
	§	ADMIRALTY
VS.	§	Fed. R. Civ. Pro. 9(h)
	§	
EMIRATES TRADING AGENCY LLC, EMIRATES STAR PTE. LTD. and STAR MARITIME PTE. LTD.	§	
	§	
Defendants.	§	
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GREATSHIP (INDIA) LIMITED	§	
	§	
Intervening Plaintiff,	§	
	§	
VS.	§	
	§	
MARINE LOGISTIC SOLUTIONS (MARSOL) LLC, EMIRATES TRADING AGENCY LLC, EMIRATES STAR PTE. LTD., and STAR MARITIME PTE. LTD.	§	
	§	
Defendants.	§	

MOTION FOR LEAVE TO INTERVENE

COMES NOW, Intervening Plaintiff, GREATSHIP (INDIA) LIMITED (hereinafter “GREATSHIP” or “Intervening Plaintiff”) by and through its undersigned counsel, CHALOS & Co, P.C., and files this Motion for Leave to Intervene as Plaintiffs in this action, pursuant to Rule 24 of the Federal Rules of Civil Procedure. The grounds for this motion are set forth below and in the Verified Complaint-in-Intervention and accompanying documents filed herewith.

1. On November 1 2011, Plaintiff, HEIDMAR TRADING LLC (hereinafter “HEIDMAR”), filed a Verified Complaint against the Defendants, EMIRATES TRADING

AGENCY LLC, EMIRATES STAR PTE. LTD. and STAR MARITIME PTE. LTD., seeking the issuance of process of maritime attachment and garnishment for the Rule B attachment of the M/T EMIRATES STAR.

2. The M/T EMIRATES STAR was attached pursuant to an Order for issuance of process of maritime attachment and garnishment on or about November 3, 2011, and is currently present in the Southern District of Texas.

3. Defendants owe no less than **USD 2,168,700.00**, plus interest, costs, and fees to be determined, to Intervening Plaintiff for unpaid hire pursuant to two (2) charter-parties entered into between the parties.

4. Defendants have failed to comply with their obligations to pay the amounts owed under the maritime contracts.

5. For the Court's ready reference, attached hereto as Exhibits A and B are Intervening Plaintiff's Verified Complaint, and a motion for the attachment of the M/T EMIRATES STAR, respectively.

7. It is respectfully submitted that Intervening Plaintiff is intervening in this lawsuit, as a matter of right, under Federal Rule of Civil Procedure 24(a)(2), as Intervening Plaintiff is so situated that disposing of the action may impair or impede Intervening Plaintiff's ability to protect their interest.

8. Should the action be disposed of, it would impair Intervening Plaintiff's ability to satisfy their claim against the Defendants, as would not be able to obtain payment from the Defendants when no property is located in the jurisdiction.

9. Additionally, this Honorable Court's granting of Intervening Plaintiff's motion to intervene will serve the interest of judicial economy and efficiency.

10. By permitting Intervening Plaintiffs to intervene in the pending litigation, there would be no prejudice to any of the parties. Conversely, by failing to grant Intervening Plaintiff's motion, Intervening Plaintiff would likely suffer irrevocable prejudice and harm, as they would likely lose all meaningful prospects to substantively pursue their claims as against Defendants.

WHEREFORE, Intervening Plaintiff, GREATSHIP (INDIA) LTD. respectfully requests that this Court grant its Motion for Leave to Intervene and that this Court award Intervening Plaintiff such other and further relief as it deems just and proper.

Dated: Oyster Bay, New York
November 9, 2011

CHALOS & CO, P.C.
Attorneys for Intervening Plaintiff
GREATSHIP (INDIA) LIMITED

By: /s/ George M. Chalos
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CERTIFICATE OF CONFERENCE

Pursuant to LR7.1D, on November 9, 2011, counsel for Intervenor Plaintiff met and conferred via telephone with Mr. Kevin Walters, counsel for Plaintiff Heidmar Trading LLC and with Mr. William A. Durham, counsel for Defendant Emirates Star Pte. Ltd. The motion to intervene is opposed by Plaintiff and Defendant.

/s/ George M. Chalos
George M. Chalos

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 9, 2011, I electronically filed the foregoing Motion for Leave to Intervene with the Clerk of the Court using the CM/ECF system, which will transmit a true and correct copy to all counsel of record.

/s/ George M. Chalos
George M. Chalos